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9 Attorneys for Plaintiff

10
11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

14
15 UNITED STATES OF AMERICA,) No. CR 11-00471-DLJ
16 Plaintiff,)
17 v.)
18 DENNIS COLLINS, CHRISTOPHER)
WAYNE COOPER, JOSHUA JOHN)
COVELLI, KEITH WILSON DOWNEY,)
MERCEDES RENEE HAEFER,)
DONALD HUSBAND, VINCENT)
CHARLES KERSHAW, ETHAN MILES,)
JAMES C. MURPHY, DREW ALAN)
PHILLIPS, JEFFREY PUGLISI,)
DANIEL SULLIVAN, TRACY ANN)
VALENZUELA, AND CHRISTOPHER)
QUANG VO,)
Defendants.)
25 _____)

**STIPULATION AND []
ORDER CONTINUING STATUS
CONFERENCE FROM MAY 16, 2013
TO JUNE 20, 2013 AND EXCLUDING
TIME FROM MAY 16, 2013 TO JUNE
20, 2013, FROM CALCULATIONS
UNDER THE SPEEDY TRIAL ACT (18
U.S.C. § 3161)**

26 The parties hereby request that the Court enter this order vacating the status conference
27 in this matter scheduled for May 16, 2013, setting a further status conference/potential change of
28

STIP. & [.] ORDER
NO. CR 11-00471-DLJ

plea hearing for June 20, 2013, and excluding time from May 16, 2013 through June 20, 2013.

The parties, including the defendants, stipulate as follows:

1. Defendants understand and agree to the exclusion of time from calculations under
2 the Speedy Trial Act, 18 U.S.C. § 3161, from May 16, 2013 through June 20, 2013, based upon
3 the need for the defense counsel to investigate further the facts of the present case. The
4 government has provided considerable discovery in the present case, and defense counsel need
5 time to review the discovery, evaluate further possible defenses and motions available to the
6 defendant. Moreover, the parties participated in a productive Settlement Conference on May 13,
7 2013. The parties intend to discuss several issues raised in the Settlement Conference in the next
8 few weeks.

2. The attorney for defendants join in the request to exclude time under the Speedy Trial
11 Act, 18 U.S.C. § 3161, for the above reasons, and believe the exclusion of time is necessary for
12 effective preparation of the defense; believe the exclusion is in the defendant's best interests; and
13 further agree that the exclusion under the Speedy Trial Act, 18 U.S.C. § 3161, should be from
14 May 16, 2013 through June 20, 2013.

Given these circumstances, the parties believe, and request that the Court vacate the May
16, 2013 status conference, set June 20, 2013 as a further status/potential change in plea hearing
17 and find, that the ends of justice are served by excluding from calculations the period from May
18 16, 2013 through June 20, 2013, outweigh the best interests of the public and the defendant in a
19 speedy trial under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO STIPULATED.

DATED: 5/14/13

/s/
PETER LEEMING

DATED: 5/14/13

/s/
W. MICHAEL WHELAN

DATED: 5/14/13

/s/
THOMAS NOLAN

STIP. & [] ORDER
NO. CR 11-00471-DLJ

1 DATED: 5/14/13 _____ /s/
JOHN M. HAMASAKI

2 DATED: 5/14/13 _____ /s/
STANLEY L. COHEN

3 DATED: 5/14/13 _____ /s/
EAN VIZZI

4 DATED: 5/14/13 _____ /s/
OMAR FIGUEROA

5 DATED: 5/14/13 _____ /s/
GRAHAM ARCHER

6 DATED: 5/14/13 _____ /s/
ROBERT CAREY

7 DATED: 5/14/13 _____ Dena Meierhenry for
GEORGE BOISSEAU

8 DATED: 5/14/13 _____ /s/
JOHN D. LUECK

9 DATED: 5/14/13 _____ /s/
MICHELLE SPENCE

10 DATED: 5/14/13 _____ /s/
JAMES McNAIR THOMPSON

11 DATED: 5/14/13 _____ /s/
ALEXIS BRIGGS

12 DATED: 5/14/13 _____ /s/
MATTHEW A. PARRELLA
HANLEY CHEW
Assistant United States Attorney

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21 **[] ORDER**

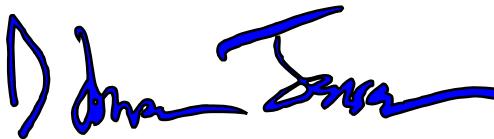
22 Having considered the stipulation of the parties, the Court finds that: (1) the defendant
23 understands and agrees to the exclusion of time from calculations under the Speedy Trial Act, 18
24 U.S.C. § 3161, from May 16, 2013 through June 20, 2013 based upon the need for the defense
25 counsel to investigate further the facts of the present case, review the discovery that the
26 government has already provided and evaluate further possible defenses and motions available to
27 the defendant; (2) the exclusion of time is necessary for effective preparation of the defense and
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1 is in the defendant's best interests; and (3) the ends of justice are served by excluding from
2 calculations the period from May 16, 2013 through June 20, 2013.

3 Accordingly, the Court further orders that (1) the status conference in this matter
4 scheduled for May 16, 2013 is vacated; (2) a further status conference/potential change of plea
5 hearing is scheduled for June 20, 2013; and (3) the time from May 16, 2013 through June 20,
6 2013 is excluded from time calculations under the Speedy Trial Act, 18 U.S.C. § 3161.

7 IT IS SO ORDERED.
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9 DATED: 1st FH



THE HONORABLE D. LOWELL JENSEN
United States District Court Judge

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